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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	2:22-mj-460-BNW
VS.)	
)	STIPULATION TO CONTINUE
JOSE LUIS MONTUFAR-CANALES,)	STATUS REPORT DATE
)	(First Request)
)	
Defendant.)	

IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson, Esq., United States Attorney, and Imani Dixon, Esq., Assistant United States Attorney, counsel for Plaintiff the United States Of America and Jose C. Pallares, Esq., counsel for Defendant Jose Luis Montufar-Canales, the Status Report due date currently scheduled for February 17, 2023, be vacated and set to a date and time convenient to this court but not sooner than 60 days.

This Stipulation is entered into for the following reasons:

1. Defendant Jose Luis Montufar-Canales has paid his fine and has not been arrested on new charges;
2. Defendant Jose Luis Montufar-Canales has been working on his alcohol awareness classes but needs more time to finish the course;
3. The parties agree to the continuance;

1 4. The additional time requested herein is not sought for purposes of delay but merely
2 to allow Defendant Jose Luis Montufar-Canales to finish his course, taking into account
3 considerations of due diligence;
4

5 5. Denial of this request could result in a miscarriage of justice;

6 6. This is the first request to continue the Status Report due date.

7 DATED this 16th day of February, 2023.
8

9 Defendant JOSE LUIS MONTUFAR-CANALES

JASON M. FRIERSON, ESQ.
United States Attorney

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11 By: /s/ Jose C. Pallares
JOSE C. PALLARES, ESQ.
12 Counsel For Defendant

By: /s/ Imani Dixon
IMANI DIXON, ESQ.
13 Assistant United States Attorney
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,) 2:22-mj-460-BNW
)
VS.) FINDINGS OF FACT,
) CONCLUSIONS OF LAW,
JOSE LUIS MONTUFAR-CANALES,) AND ORDER
)
Defendants.)

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Defendant Jose Luis Montufar-Canales has paid his fine and has not been arrested on new charges;
2. Defendant Jose Luis Montufar-Canales has been working on his alcohol awareness classes but needs more time to finish the course;
3. The parties agree to the continuance;
4. The additional time requested herein is not sought for purposes of delay but merely to allow Defendant Jose Luis Montufar-Canales to finish his course, taking into account considerations of due diligence;
4. Denial of this request could result in a miscarriage of justice;
5. This is the first request to continue the Status Report due date.

For all of the above-stated reasons, the ends of justice would be best served by continuing the Status Report due date.

CONCLUSIONS OF LAW

The ends of justice that would be served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, and would deny Defendant Jose Luis Montufar-Canales the opportunity to finish his court-ordered alcohol classes .

ORDER

IT IS THEREFORE ORDERED that the status report due date currently scheduled February 17, 2023, be vacated and continued to April 21, 2023.

DATED this 21st day of February, 2023.


UNITED STATES MAGISTRATE JUDGE